## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

NATIONAL RAILROAD PASSENGER CORPORATION,

Plaintiff,

V.

ARCH SPECIALTY INSURANCE COMPANY; ASPEN SPECIALTY INSURANCE COMPANY; COMMONWEALTH INSURANCE COMPANY; FEDERAL INSURANCE COMPANY; LEXINGTON INSURANCE COMPANY: LIBERTY MUTUAL FIRE INSURANCE COMPANY; CERTAIN UNDERWRITERS AT LLOYD'S OF LONDON and CERTAIN LONDON MARKET COMPANIES Subscribing to Policy Nos. 507/N11NA08240, 507/N11NA08241, 507/N11NA08242, 507/N11NA08244, 507/N11NA08244, 507/N11NA08245 and GEP 2944; MAIDEN SPECIALTY INSURANCE COMPANY; MAXUM INDEMNITY COMPANY; NAVIGATORS INSURANCE COMPANY; PARTNER REINSURANCE EUROPE plc; RSUI INDEMNITY COMPANY; STEADFAST INSURANCE COMPANY; TORUS SPECIALTY INSURANCE COMPANY; and WESTPORT INSURANCE CORPORATION,

: 14 Civ. 7510 (JSR)

Defendants.

## <u>DECLARATION OF CATHERINE MONDELL, ESQ. IN SUPPORT OF UNOPPOSED</u> <u>MOTION FOR THE ISSUANCE OF LETTER OF REQUEST</u>

I, CATHERINE MONDELL, hereby declare:

 I am a member of the law firm Ropes & Gray LLP, which represents Defendants Partner Reinsurance Europe plc, Torus Specialty Insurance Company, Westport Insurance Corporation, and Certain Underwriters at Lloyd's of London and Certain London Market Insurance Companies subscribing to Policy Nos. GEP 2944, 507/N11NA08242, 507/N11NA08244, and 507/N11NA08244 in this matter.

- 2. I have personal knowledge of the facts presented in this declaration. I respectfully submit this Declaration along with the accompanying Memorandum of Law in Support of Unopposed Motion for the Issuance of Letter of Request on Behalf of Insurers.
- 3. Attached as Exhibit 1 is true and correct copy of the Letter of Request with attached exhibits, which Insurers request that this Court issue.
- 4. Attached as Exhibit 2 is true and correct of an Email from Alex Traill, Esq., counsel for Price Forbes, dated December 29, 2014, confirming Price Forbes' position that it is prepared to provide discovery in this matter.

Executed on: January 2, 2015

Catherine A. Mondell Boston, MA

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